

AMENDED IN SENATE AUGUST 18, 2003

AMENDED IN SENATE JULY 16, 2003

AMENDED IN SENATE JULY 3, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY MAY 6, 2003

AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1266

Introduced by Committee on Budget

February 21, 2003

An act to amend Sections 8957, 44393, 52055.610, 52055.650, 53081, 53083, 60423, 69440, and 84750 of, to amend, repeal, and add Sections 60640 and 60642 of, to add Sections 18866, 52055.54, 54761.4, 60227, and 69999.3 to, to add Chapter 4.6 (commencing with Section 18880) to Part 11 of, to add and repeal Section 60422.1 of, to repeal Sections 426 and 14044 of, to repeal Article 4.2 (commencing with Section 18733) and Article 4.5 (commencing with Section 18735) of Chapter 4 of Part 11 of, and Article 5 (commencing with Section 60650) of Chapter 5 of Part 33 of, to repeal Chapter 7 (commencing with Section 99300) of Part 65 of, and to repeal and add Section 53084 of, the Education Code, ~~and~~ to repeal Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code, *and to amend Section 37 of Chapter 227 of the Statutes of 2003*, relating to schools, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1266, as amended, Committee on Budget. Schools.

(1) *Existing law requires the board of trustees of the California State Summer School for the Arts to set a tuition fee within a range that corresponds to actual costs, up to but not exceeding \$1,000 per session in 1989, and authorizes the board of trustees to increase the fee up to 5% each year thereafter.*

This bill would require the costs, for purposes of determining the fee, to be limited to tuition, pupil recruitment expenses, faculty and instructional supplies and related equipment, pupil room and board, and security. The bill would authorize the board of trustees, to the extent that fees are not increased in any year, to increase fees in any subsequent year up to the maximum amount that would have existed if the fees had been increased by 5% in each year. The bill would require the board of trustees to report annually, by October 1, to the Governor, the Legislature, and the Department of Finance the percentages and numbers of pupils that receive scholarships, a waiver of fees, or a reduction in fees, as provided.

(2) Existing law requires the State Librarian to contract for an independent evaluation of a specified portion of the English Language and Intensive Literacy Program and to submit interim reports to the Legislature, as specified.

This bill would repeal those provisions.

~~(2)~~

(3) Existing law establishes the California Library Literacy Service as a public library services program designed to reduce adult illiteracy by providing English language literacy instruction and related services to adults and youth who are not enrolled in school. Existing law also establishes the Families for Literacy Program, a library services program with the purpose of preventing illiteracy through coordinated literacy and preliteracy services to families that include illiterate adults and young children.

This bill would repeal those programs and instead would establish the California Library Literacy and English Acquisition Services Program to reduce illiteracy among children and adults by providing English language literacy instruction and related services to native and nonnative English speaking youth and adults residing in California.

~~(3)~~

(4) Existing law establishes the Library of California Act under which program elements of the California Library Services Act would be phased out and repealed.

This bill would provide that funding for the Library of California Act is contingent upon an appropriation in the annual Budget Act for that purpose.

~~(4)–~~

(5) Existing law establishes the California School Paraprofessional Teacher Training Program for the purpose of recruiting paraprofessionals to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. Existing law requires a participating school district or county office of education to certify that it has received a commitment from each participating paraprofessional that he or she will, among other things, complete one school year of classroom instruction in the district or county office of education for each year that he or she receives assistance for books, fees, and tuition while attending an institution of higher education under the program. Existing law requires the participating paraprofessional to repay the assistance to the extent that the participant does not fulfill his or her obligations.

This bill would prohibit a laid off participant from being required to repay the assistance until the participant is offered reemployment and has an opportunity to fulfill his or her obligations, and would make technical, nonsubstantive changes.

~~(5)–~~

(6) Existing law authorizes invited schools that score below the 50th percentile on specified achievement tests to receive planning grants under the Immediate Intervention/Underperforming Schools Program (IIUSP). Under the existing IIUSP, a school that has not met its growth targets and has failed to show significant growth 24 months after receiving grant funding under that program is deemed a state-monitored school, and may be, among other things, placed under the management of designated entities, or may be required to enter into a contract with a school assistance and intervention team for purposes of implementing the recommendations contained in the report prepared by that team for purposes of school improvement.

This bill would provide that from funds appropriated each year in the annual Budget Act to the State Department of Education for purposes of the federal No Child Left Behind Act or from state funds



appropriated for this purpose, an allocation is to be made by the department to school districts and county offices of education (1) to provide \$150 per pupil for each pupil in a school that is required to enter into a contract with a school assistance and intervention team, (2) to provide \$150 per pupil for each pupil in a school that is managed by an entity designated to manage a state-monitored school under the IIUSP, (3) to provide funding for the support of each entity that is assigned to manage a state-monitored school, and (4) to provide \$75,000 for the support of each school assistance and intervention team assigned to an elementary or middle school and \$100,000 for each team assigned to a high school. The bill would authorize a school to receive up to \$125,000 if the State Department of Education determines that additional funding is justified.

~~(6)~~

(7) Existing law establishes the High Priority School Grant Program for Low Performing Schools under which funds are made available to eligible schools for implementation of a school action plan that includes specified components. Existing law sets forth deadlines for the application process to receive a grant pursuant to the program.

This bill would provide that, notwithstanding those deadlines, if funding is made available for this purpose, the State Board of Education may approve additional applications received for the program in the 2002–03 and 2003–04 fiscal years, if other specified requirements are met. This bill would also provide that a school participating in the program that received a planning grant in the 1999–2000 fiscal year is eligible to receive program funding in the 2002–03 fiscal year only and that a school participating in the program that received a planning grant in the 2001–02 fiscal year is eligible to receive program funding in the 2002–03 and 2003–04 fiscal years only.

~~(7)~~

(8) Existing law requires the Office of the Secretary for Education, the State Department of Education, the Chancellor’s Office of California Community Colleges, and the Health and Human Services Agency to enter into an interagency agreement to establish the Interagency Partnership for School-to-Career Programs. Existing law appropriated \$2,000,000 from the General Fund to the Secretary for Education for purposes of the program.

This bill would require the State Department of Education, rather than the Interagency Partnership, to administer the School-to-Career Program. The bill would eliminate the appropriation and, instead,



would provide that funding for the program is contingent upon an appropriation for this purpose in the annual Budget Act or in other legislation.

~~(8)–~~

(9) Existing law establishes supplemental grants for allocation to school districts that receive less than average funding from specified categorical education programs. Existing law authorizes school districts to change their designation of supplemental grant funds from specified categorical education programs to another of those programs and makes an action to change or maintain the 1994–95 designation in the 1995–96 fiscal year applicable to the 1995–96 fiscal year and each fiscal year thereafter.

This bill would, notwithstanding any other law and until October 1, 2003, authorize a school district to change its designation of supplemental grant funds from specified categorical education programs to any other or others of those programs.

~~(9)–~~

(10) Existing law establishes the Instructional Materials Funding Realignment Program and requires a local governing board to use funding received pursuant to the program to ensure that each pupil is provided with a standards-aligned textbook or basic instructional materials, as provided. Existing law requires pupils to be provided with the textbooks or instructional materials by the beginning of the first school term that commences no later than 24 months after those materials were adopted by the State Board of Education.

This bill, instead, would provide that, until June 30, 2005, a local governing board shall use funds received pursuant to the program to ensure pupils are provided with standards-aligned textbooks or instructional materials by the beginning of the first school term that commences no later than 36 months after those materials are adopted by the State Board of Education.

~~(10)–~~

(11) Existing law provides that for the 2002–03 and 2003–04 fiscal years only, a requirement that the governing board of a school district provide a pupil with standards-aligned instructional materials, may be satisfied if the governing board provides a pupil with standards-aligned instructional materials that were adopted by the State Board of Education pursuant to specified legislation enacted in 1998.

This bill would additionally allow that exception to apply in the 2004–05 fiscal year.



~~(11)~~—

(12) Existing law requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive. Existing law further requires the state board to ensure that curriculum frameworks are reviewed and adopted in each subject area consistent with specified submission cycles.

This bill would require the department, prior to conducting a followup adoption, to notify all publishers and manufacturers known to produce basic instructional materials in that subject, that a fee will be assessed based on the number of programs the publisher or manufacturer indicates will be submitted. The bill would prohibit a review of a submission until the fee is paid in full. The bill would continuously appropriate to the department the revenue derived from this fee and would make the revenue available to the department from year to year until expended.

~~(12)~~—

(13) Existing law establishes, until January 1, 2005, the Leroy F. Greene California Assessment of Academic Achievement Act to provide a system of individual assessment of pupils. The existing act establishes, among other things, the Standardized Testing and Reporting (STAR) Program and requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, an achievement test and a standards-based achievement test. The bill would require, commencing on July 1, 2004, the achievement test to be administered to pupils in grades 3 and 8, and the standards-aligned achievement test to be administered to pupils in grades 2 to 11, inclusive.

~~(13)~~—

(14) Existing law establishes the Golden State Examination Program to measure advanced pupil achievement on the academically rigorous content standards adopted by the State Board of Education.

This bill would repeal that program.

~~(14)~~—

(15) Existing law establishes the Cal Grant Program, and requires that Cal Grant T awards be used only for tuition and student fees for a maximum of one academic year of full-time attendance in a program of professional preparation that is approved by the Commission on Teacher Credentialing. Existing law requires that a minimum of 3,000 new Cal Grant T awards be made each year.



This bill would delete the requirements regarding the number of Cal Grant T awards that are required to be made in a fiscal year.

~~(15)~~

(16) Existing law established the Governor's Scholars Program under which a pupil was authorized to receive a scholarship award for attaining a high score, as specified, on the reading and mathematics portions of the statewide achievement test. Existing law also established the Governor's Distinguished Mathematics and Science Scholars Program under which a pupil was authorized to receive a scholarship award for demonstrating specified high academic achievement in mathematics and science. Both of these programs became inoperative on July 1, 2003, and are repealed as of January 1, 2004.

This bill would provide that no award is to be made, nor is there any entitlement to an award, based on a test taken in 2003. The bill would provide that notwithstanding the inoperation and repeal of those programs, the Scholarshare Investment Board may continue to administer the scholarship accounts established pursuant to those programs for scholarships that were authorized and awarded prior to July 1, 2003.

~~(16)~~

(17) Existing law requires the Board of Governors of the California Community Colleges to develop, within certain statewide minimum requirements, criteria and standards for the purposes of making the annual budget request for the California Community Colleges.

This bill would revise the statewide minimum requirements on which the criteria and standards are to be based relative to decreases in noncredit FTES, in FTES for credit instruction and for instructional services and libraries, and decreases in headcount for student services.

~~(17)~~

(18) Existing law, until June 30, 2003, establishes the Student Academic Partnership program to provide preservice training to prospective teachers and secure tutoring assistance for pupils in kindergarten and grades 1 to 6, inclusive.

This bill would repeal the program.

~~(18)~~

(19) Existing law requires that school districts report on crimes committed on school grounds, as specified. Existing law requires the State Department of Education, in consultation with the Department of Justice and a representative selection of school districts, to develop a



standard school crime reporting form. Existing law requires the department to identify guidelines for reporting, and documentation for validating, the incidents of each crime description included on the standard school crime reporting forms, as specified.

This bill would repeal provisions regarding the reporting of school crime.

~~(19)–~~

(20) Existing law sets the growth and cost-of-living adjustments for special education programs at 0% of the 2003–04 fiscal year.

This bill would set only the cost-of-living adjustment for special education programs at 0% for the 2003–04 fiscal year.

(21) Existing law establishes the Teacher Recruitment Incentive Program for the purpose of establishing 6 regional teacher recruitment centers and requires the Sacramento County Office of Education to administer the program.

This bill would authorize a local educational agency that received funds pursuant to the program to expend or encumber those funds through June 30, 2004.

~~(20)–~~

(22) Existing law establishes the School Improvement Program under which funds are allocated to schools with approved planning applications and schools with approved school improvement plans. Existing law rendered the program inoperative on June 30, 1987, but continues the funding for the general purposes of that program.

This bill would, notwithstanding any other law and for the 2003–04 fiscal year only, strongly encourage a school district implementing a school improvement program to first reduce nonpersonnel expenditures supported by those program funds to the extent that funding appropriated for the program is reduced.

~~(21)–~~

(23) This bill would incorporate changes in Sections 52055.610, 52055.650, and 69440 of the Education Code that were made by AB 96 (Chapter 91 of the Statutes of 2003).

(24) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.



The people of the State of California do enact as follows:

SECTION 1. Section 426 of the Education Code is repealed.

SEC. 2. *Section 8957 of the Education Code is amended to read:*

8957. (a) It is the ~~Legislature's~~ *intent of the Legislature* that at least 50 percent, but not more than 75 percent, of the actual costs of the California State Summer School for the Arts (CSSSA) for each fiscal year be financed by state funds ~~beginning in the 1991-92 fiscal year~~. The balance of the operating costs shall be financed with fees and private support.

(b) The board of trustees shall set a tuition fee within a range that corresponds to actual ~~program~~ *costs to the summer school of services per pupil*, up to but not exceeding one thousand dollars (\$1,000) per session in 1989. *These costs shall be limited to tuition, pupil recruitment expenses, faculty and instructional supplies and related equipment, pupil room and board, and security.* The amount of this fee may be increased by the board of trustees up to a 5 percent increase each year thereafter. ~~The~~ *To the extent that fees are not increased as authorized in any year, the board of trustees may increase fees in any subsequent year up to the maximum amount that would have existed if the fees had been increased 5 percent in each year.*

(c) The board of trustees may award full or partial scholarships on the basis of need and ability. Pupils who are unable to pay all or part of the fee may petition the board of trustees for a fee reduction or waiver. The ~~State Department of Education~~ *department*, in conjunction with the board of trustees, shall promulgate rules and regulations regarding fee reduction and waivers, which shall ensure all of the following:

(1) That, to the degree scholarship funds are available, no talented applicant shall be denied admission solely because of inability to pay all or part of the fee.

(2) That any public announcement regarding the summer school program include notification that full scholarships are available, and information regarding the procedure for applying for a scholarship award.

(3) That, pursuant to Section 8953, ~~student~~ *pupil* participation in the summer school program ~~shall be~~ *is* broadly representative of the socioeconomic and ethnic diversity of the state.

~~(c)~~

(4) That the percentage of low income pupils attending the CSSSA is not reduced below the average percentage of low income pupils attending the CSSSA in the prior two years, as a result of any fee increase approved pursuant to subdivision (b).

(d) Subdivision (b) applies only to pupils who are California residents. For pupils who are not California residents, the board of trustees annually shall set a tuition fee that is not less than the total actual costs to the summer school of services per pupil. The total actual costs of services per pupil shall be computed each year for this purpose by dividing the amount of school expenditures for the prior fiscal year by the total pupil population for the prior year.

~~(d)~~

(e) The Foundation for the California State Summer School for the Arts, which has been established as a nonprofit foundation to support the CSSSA, may raise funds from the private sector which that may be used by the summer school for general program operating costs, scholarships, program augmentation, public relations, recruitment activity, or special projects. Private support may include, but not be limited to, direct grants to the summer school from private corporations or foundations, individual contributions, in-kind contributions, or fundraising benefits conducted by any entity.

(f) The board of trustees shall report annually by October 1, to the Governor, the Legislature, and the Department of Finance, the percentages and numbers of pupils that receive each of the following:

(1) Scholarships.

(2) A waiver of all fees.

(3) A reduction of fees.

(4) Data comparable to that required by paragraphs (1), (2), and (3) for the prior three years.

SEC. 3. Section 14044 of the Education Code is repealed.

~~SEC. 3.~~

SEC. 4. Article 4.2 (commencing with Section 18733) of Chapter 4 of Part 11 of the Education Code is repealed.

~~SEC. 4.~~

SEC. 5. Article 4.5 (commencing with Section 18735) of Chapter 4 of Part 11 of the Education Code is repealed.

~~SEC. 5.~~

1 *SEC. 6.* Chapter 4.6 (commencing with Section 18880) is
2 added to Part 11 of the Education Code, to read:

3
4 CHAPTER 4.6. CALIFORNIA LIBRARY LITERACY AND ENGLISH
5 ACQUISITION SERVICES PROGRAM
6

7 18880. (a) The California Library Literacy and English
8 Acquisition Services Program is hereby established within the
9 California State Library as a public library program designed to
10 reduce illiteracy among children and adults by providing English
11 language literacy instruction and related services to native and
12 nonnative English speaking youth and adults residing in
13 California. For purposes of this article, “English language literacy
14 instruction” means the development of basic skills of speaking,
15 reading, and writing in the English language.

16 (b) The California State Library shall allocate funds
17 appropriated in the Budget Act for the California Library Literacy
18 and English Acquisition Services Program to local library
19 jurisdictions that are effectively providing literacy services.

20 (c) At local discretion, jurisdictions may use their allocation
21 from the State Literacy Program for any of the services described
22 in Section 18881.

23 (d) The California State Library shall provide local
24 jurisdictions with technical assistance to the extent that resources
25 are available for this purpose.

26 18881. The California Library Literacy and English
27 Acquisition Services Program for public libraries may be used for
28 any of the following:

29 (a) (1) Services designed to reduce adult illiteracy by
30 providing English language literacy instruction and related
31 services to adults and youth who are not enrolled in school. A
32 participating public library may establish an adult literacy
33 instructional program that provides adult basic literacy instruction
34 and related services. Participant learning shall be evaluated on the
35 basis of statewide guidelines established by the State Librarian.

36 (2) The public library shall do all of the following in
37 establishing and implementing the program:

38 (A) Seek community and local government awareness of and
39 support for the program and develop a local commitment of
40 resources for the program’s continuation.

1 (B) Develop cooperative relationships with other local literacy
2 service providers and participate in existing community adult
3 literacy coalitions, in order to address the wide variety of literacy
4 needs of the community and ensure an effective utilization of
5 resources. The public library shall assist in the establishment of a
6 community adult literacy coalition if none currently exists.

7 (C) Recruit and train volunteers to provide tutoring and other
8 services in public library and other community settings.

9 (D) Certify that the local jurisdiction will provide the same
10 level of local and private fiscal support as it did in the preceding
11 fiscal year.

12 (b) (1) Services to prevent illiteracy through coordinated
13 literacy and preliteracy services to families that include illiterate
14 adults and young children. The program shall provide reading
15 preparation services for young children in public library settings
16 and shall instruct parents in reading to their children. In addition,
17 the program shall provide technical assistance, parent support, and
18 any resources and materials necessary for its implementation.

19 (2) A public library implementing this service shall meet all of
20 the following requirements:

21 (A) Offer new services to families with young children with the
22 goal of helping the children become successful readers by
23 increasing their general competence, self-confidence, and positive
24 emotional associations with reading as a family experience and
25 familiarity with the lifelong use of library resources. Recruitment
26 of parents not previously included in public library literacy
27 programs is a high priority.

28 (B) Families eligible for the program shall include, but not be
29 limited to, those with young children up to the age of five years.

30 (C) Program meetings shall be held in public library settings.

31 (D) The public library literacy program staff and children's
32 services staff shall work in close coordination with the State
33 Library in administering the program to assure maximum
34 integration of literacy services to parents and preliteracy services
35 to their children.

36 (3) Services offered by a public library under this subdivision
37 shall include the following:

38 (A) Acquisition of books, of appropriate reading levels for, and
39 containing subjects of interest to, children for ownership by young
40 children of families participating in the program.

1 (B) Regular meetings of parents and children in public library
2 settings during hours that are suitable for parents and their
3 children.

4 (C) Storytelling, word games, and other exercises designed to
5 promote enjoyment of reading in adults and children.

6 (D) Use of children's books and language experience stories
7 from the meetings as material for adult literacy instruction.

8 (E) Instruction for parents in book selection and reading aloud
9 to children.

10 (F) Services to enhance full family participation and to foster
11 a family environment conducive to reading.

12 (G) Assistance to parents in using services in order to access
13 books and other materials on such topics as parenting, child care,
14 health, nutrition, and family life education.

15 (H) Other services, as necessary to enable families to
16 participate in the program.

17 (c) Services for pupils in kindergarten and grades 1 to 12,
18 inclusive, and their families in local English language learner and
19 literacy programs. Local libraries may offer year-round literacy
20 and English language tutoring in collaboration with nonprofit and
21 other local organizations.

22 18883. A local library shall ensure that funds received
23 pursuant to this chapter are exclusively used for expenses resulting
24 from providing English language and literacy services and shall
25 ensure that at least 90 percent of the funds received for the program
26 are expended on direct services and related materials.

27 18884. The State Librarian shall provide a report by March 1,
28 2004, to the Legislature that includes, but is not limited to, all of
29 the following information:

30 (a) The amount of funding allocated pursuant to this chapter.

31 (b) The number of libraries or schools participating in the
32 program.

33 (c) The types of services to be provided with funds received
34 pursuant to this chapter.

35 (d) The number of English language learners participating in
36 the program.

37 (e) The number of parents or adults participating in the
38 program.

39 ~~SEC. 6.~~

1 *SEC. 7.* Section 18866 is added to the Education Code, to
2 read:

3 18866. Funding for the purposes of this chapter is contingent
4 upon an appropriation being made for that purpose in the annual
5 Budget Act.

6 ~~*SEC. 7.*~~

7 *SEC. 8.* Section 44393 of the Education Code is amended to
8 read:

9 44393. (a) The California School Paraprofessional Teacher
10 Training Program is hereby established for the purpose of
11 recruiting paraprofessionals to participate in a program designed
12 to encourage them to enroll in teacher training programs and to
13 provide instructional service as teachers in the public schools.

14 (b) The Commission on Teacher Credentialing, in consultation
15 with the Chancellor of the California Community Colleges, the
16 Chancellor of the California State University, the President of the
17 University of California, the chancellors of private institutions of
18 higher education that offer accredited teacher training programs,
19 and representatives of certificated and classified employee
20 organizations, shall select 24 or more school districts or county
21 offices of education representing rural, urban, and suburban areas
22 that apply to participate in the program. The commission shall
23 ensure that, at a minimum, a total of 600 school paraprofessionals
24 are recruited from among the 24 or more participating school
25 districts or county offices of education. The criteria adopted by the
26 commission for the selection of school districts or county offices
27 of education to participate in the program shall include all of the
28 following:

29 (1) The extent to which the applicant school district or county
30 office of education demonstrates the capacity and willingness to
31 accommodate the participation of school paraprofessionals of the
32 school in teacher training programs conducted at institutions of
33 higher education.

34 (2) The extent to which the applicant's plan for the
35 implementation of its recruitment program involves the active
36 participation of one or more local campuses of the participating
37 institutions of higher education in the development of coursework
38 and teaching programs for participating school paraprofessionals.
39 Each selected school district or county office of education shall be

1 required to enter into a written articulation agreement with the
2 participating campuses of the institutions of higher education.

3 (3) The extent to which the applicant's plan for recruitment
4 attempts to meet the demand for bilingual-crosscultural teachers.

5 (4) The extent to which the applicant's plan for recruitment
6 attempts to meet the demand for multiple subject credentialed
7 teachers interested in teaching kindergarten or any of grades 1 to
8 3, inclusive. For purposes of this paragraph, each paraprofessional
9 selected to participate shall have completed at least two years of
10 undergraduate college or university coursework and shall have
11 demonstrated an interest in obtaining a multiple subject teaching
12 credential for teaching kindergarten or any of grades 1 to 3,
13 inclusive.

14 (5) The extent to which the applicant's plan for recruitment
15 attempts to meet the demand for special education teachers.

16 (6) The extent to which the applicant's plan for recruitment
17 includes a developmentally sequenced series of job descriptions
18 that lead from an entry-level school paraprofessional position to
19 an entry-level teaching position in that school district or county
20 office of education.

21 (7) The extent to which the applicant's plan for recruitment
22 attempts to meet its own specific teacher needs.

23 (8) The extent to which the applicant's plan for implementation
24 of its recruitment program involves participation in a district
25 internship program pursuant to Sections 44325, 44326, 44327,
26 44328, and 44830.3 or a university internship program pursuant
27 to Article 3 (commencing with Section 44450) of Chapter 3.

28 (c) Each selected school district or county office of education
29 shall provide information and assistance to each school
30 paraprofessional it recruits under the program regarding
31 admission to a teacher training program.

32 (d) (1) The school district or county office of education shall
33 recruit and organize groups, or "cohorts," of school
34 paraprofessionals, of no more than 30, and no less than 10, in each
35 cohort. Cohorts shall be organized to consist of school
36 paraprofessionals having approximately equal academic
37 experience and qualifications, as determined by the school district
38 or county office of education. To the extent possible, the members
39 of each cohort shall proceed through the same subject matter and
40 credential programs. The members of each cohort shall enroll in

1 the same campus and shall be provided by the school district or
2 county office of education with appropriate support and
3 information throughout the course of their studies.

4 (2) Each school district or county office of education shall
5 certify that it has received a commitment from each member of a
6 cohort that he or she will accomplish all of the following:

7 (A) Graduate from an institution of higher education under the
8 program with a bachelor's degree.

9 (B) Complete all of the requirements for and obtain a multiple
10 subject, single subject, or education specialist teaching credential.

11 (C) Complete one school year of classroom instruction in the
12 district or county office of education for each year that he or she
13 receives assistance for books, fees, and tuition while attending an
14 institution of higher education under the program.

15 (3) To the extent that any participant does not fulfill his or her
16 obligations, as set forth in paragraph (2), the participant shall be
17 required to repay the assistance. If a participant is laid off, the
18 participant may not be required to repay the assistance until the
19 participant is offered reemployment and has an opportunity to
20 fulfill his or her obligations under this section.

21 (e) The commission shall contract with an independent
22 evaluator with a proven record of experience in assessing
23 career-advancement programs or teacher training programs to
24 determine the success of the recruitment programs established
25 pursuant to subdivision (b). The evaluation shall be made on an
26 annual basis and shall include, but not be limited to, all of the
27 following:

28 (1) The total cost per person participating in the program who
29 successfully obtains a teaching credential, based upon all state,
30 local, federal, and other sources of funding.

31 (2) The economic status of persons participating in the pilot
32 program.

33 (3) A description of financial and other resources made
34 available to each recruitment program by participating school
35 districts or county offices of education, institutions of higher
36 education, and other participating organizations.

37 (4) The extent to which pupil performance on standardized
38 achievement tests has improved in classes taught by teachers who
39 have successfully completed the program, in comparison to

1 classes taught by other teachers who have equivalent teaching
2 experience.

3 (5) The extent to which pupil dropout rates and other measures
4 of delinquency have improved in classes taught by teachers who
5 have successfully completed the program.

6 (6) The extent to which teachers who have successfully
7 completed the program remain in the communities in which they
8 reside and in which they teach.

9 (7) The attrition rate of teachers who have successfully
10 completed the program.

11 (f) Each selected school district or county office of education
12 shall report to the commission regarding the progress of each
13 cohort of school paraprofessionals, and other information
14 regarding its recruitment program as the commission may direct.

15 (g) No later than January 1 of each year, the commission shall
16 report to the Legislature regarding the status of the pilot program,
17 including, but not limited to, the number of school
18 paraprofessionals recruited, the academic progress of the school
19 paraprofessionals recruited, the number of school
20 paraprofessionals recruited who are subsequently employed as
21 teachers in the public schools, the degree to which the program
22 meets the demand for bilingual and special education teachers, the
23 degree to which the program or similar programs can meet that
24 demand if properly funded and executed, and other effects upon
25 the operation of the public schools.

26 (h) It is the intent of the Legislature that each fiscal year,
27 funding for the California School Paraprofessional Teacher
28 Training Program be allocated to the Commission on Teacher
29 Credentialing for grants to school districts pursuant to this section.
30 In no case shall grants to any school district exceed the equivalent
31 of three thousand dollars (\$3,000) annually per paraprofessional
32 in the program. Funding for grants to school districts pursuant to
33 this subdivision, shall be contingent upon an appropriation in the
34 annual Budget Act.

35 ~~SEC. 8.~~

36 *SEC. 9.* Section 52055.54 is added to the Education Code, to
37 read:

38 52055.54. From funds appropriated each year in the annual
39 Budget Act to the department pursuant to Section 1003 of Title 1
40 of the Elementary and Secondary Education Act of 1965 (20



U.S.C. Sec. 6301) or from state funds appropriated for this purpose, the following amounts shall be allocated by the department to school districts and county offices of education:

(a) The amount of one hundred fifty dollars (\$150) per pupil for each pupil in a school that is required to enter into a contract with a school assistance and intervention team pursuant to subdivision (a) of Section 52055.51, for purposes of implementing any recommendations made by the school assistance and intervention team in the report prepared by the team pursuant to subdivision (d) of Section 52055.51. School districts that receive funds under this subdivision shall provide an in-kind match of services, or a match of school district funds in an amount equal to the amount received pursuant to this subdivision.

(b) The amount of one hundred fifty dollars (\$150) per pupil for each pupil in a school that is managed in accordance with subparagraph (C) of paragraph (3) of subdivision (b) of Section 52055.5, for purposes of improving the academic performance of that school. School districts that receive funds under this subdivision shall provide an in-kind match of services, or a match of school district funds in an amount equal to the amount received pursuant to this paragraph.

(c) Funding for the support of each school assistance and intervention team that enters into a contract with a school district pursuant to subdivision (a) of Section 52055.51 shall be allocated as follows:

(1) Seventy-five thousand dollars (\$75,000) for each school assistance and intervention team assigned to an elementary or middle school.

(2) One hundred thousand dollars (\$100,000) for each school assistance and intervention team assigned to a high school.

(3) If a school district determines that it needs more than the amounts specified in paragraphs (1) and (2), the school district may apply to the department for additional funding. The application shall include justification for the requested increase. The department and the Department of Finance shall review any applications and may provide funding up to a total funding level of one hundred twenty-five thousand dollars (\$125,000), including the amount provided pursuant to paragraph (1) or (2).

(4) As a condition of receipt of funds pursuant to this subdivision, a school district shall provide an in-kind match of

1 services, or a match of school district funds, in an amount equal to
2 one dollar (\$1) for every two dollars (\$2) provided pursuant to
3 paragraphs (1), (2), or (3).

4 ~~SEC. 9.~~

5 *SEC. 10.* Section 52055.610 of the Education Code is
6 amended to read:

7 52055.610. (a) The Superintendent of Public Instruction
8 shall establish a procedure that is consistent with this article for the
9 approval of applications and school action plans.

10 (b) Notwithstanding the existing application process
11 established pursuant to Article 3 (commencing with Section
12 52053), in developing an action plan to be submitted with the
13 application for funding pursuant to this article, a school may
14 choose from the following options:

15 (1) A school district on behalf of an eligible school under its
16 jurisdiction may elect to receive fifty thousand dollars (\$50,000)
17 as a planning grant from funds appropriated for purposes of this
18 article. These planning grant funds shall be used for technical
19 assistance in the development of the school action plan. Technical
20 assistance includes assistance provided by school district
21 personnel, county offices of education, universities, a state
22 approved external evaluator, or any other entity that has proven
23 successful expertise specific to the challenges inherent in
24 ~~low-performing~~ *high-priority* schools. If the school action plan is
25 approved, the Superintendent of Public Instruction shall provide
26 funding for its implementation. Planning grant funds, as well as
27 other funds available to school districts pursuant to this article,
28 may be used for on-going technical assistance throughout the
29 implementation of the action plan and continued participation in
30 the program established pursuant to Article 3 (commencing with
31 Section 52053) and the program established pursuant to this
32 article.

33 (2) A school district, on behalf of an eligible school under its
34 jurisdiction, may elect to forego the fifty thousand dollars
35 (\$50,000) planning grant and immediately submit its application
36 and school action plan. If a school chooses this option, the
37 Superintendent of Public Instruction shall take one of the
38 following actions:

1 (A) Recommend approval of the application by the State Board
2 of Education and action plan and provide funding for
3 implementation of the school action plan.

4 (B) Request additional clarification and technical changes,
5 after which the school and district shall resubmit the application
6 and school action plan with the clarifications and changes for
7 approval. If the application and school action plan is approved, the
8 Superintendent of Public Instruction shall provide funding for
9 implementation of the school action plan.

10 (C) Disapprove the plan in which case a school district on
11 behalf of an eligible school under its jurisdiction shall receive a
12 fifty thousand dollar (\$50,000) planning grant that shall be used
13 for technical assistance in the redevelopment of the school action
14 plan according to the department's recommendations. Technical
15 assistance includes assistance provided by school district
16 personnel, county offices of education, universities, a state
17 approved external evaluator, or any other entity that has proven
18 expertise specific to the challenges inherent in ~~low-performing~~
19 *high-priority* schools.

20 (c) The following deadlines apply for the 2001–02 fiscal year:

21 (1) A school district on behalf of an eligible school under its
22 jurisdiction shall submit the application and school action plan to
23 the Superintendent of Public Instruction for review and approval
24 by May 15, 2002.

25 (2) The Superintendent of Public Instruction shall make a
26 recommendation to the State Board of Education regarding
27 approval or disapproval of applications and school action plans by
28 June 15, 2002. The State Board of Education shall approve or
29 disapprove the application and action plan by June 30, 2002. Upon
30 approval by the State Board of Education, the department shall
31 allocate funding to schools for the implementation of the action
32 plan. If the State Board of Education fails to approve or disapprove
33 the application and school action plan by June 30, 2002, the
34 recommendation of the Superintendent of Public Instruction shall
35 be deemed to be adopted and funding for implementation of the
36 action plan shall be allocated.

37 (3) If the Superintendent of Public Instruction takes the action
38 specified in subparagraph (B) of paragraph (2) of subdivision (b),
39 the school and school district shall resubmit the application and
40 school action plan with the clarifications and changes for approval

by August 1, 2002, and the Superintendent of Public Instruction shall make a recommendation to the State Board of Education regarding approval or disapproval by September 1, 2002. The State Board of Education shall approve or disapprove the application and action plan by September 30, 2002. If the action plan is approved, the department shall allocate funding to the school district on behalf of an eligible school under its jurisdiction for implementation of the action plan. If the State Board of Education fails to approve or disapprove the application and school action plan by September 30, 2002, the recommendation of the Superintendent of Public Instruction shall be deemed to be adopted and funding for implementation of the action plan is to be allocated.

(4) A school district may request, and the State Board of Education may waive, the deadlines set forth in this subdivision.

(d) If a school receives implementation funding during the same fiscal year it receives a fifty thousand dollar (\$50,000) planning grant, the planning grant shall be deducted from the amount of implementation funding provided to the school pursuant to subdivision (b) of Section 52055.600.

(e) Notwithstanding the deadlines specified in this section, if funding is made available for this purpose, the State Board of Education may approve additional applications in the 2002–03 and 2003–04 fiscal years from school districts that comply with the requirements of this article.

~~SEC. 10.~~

SEC. 11. Section 52055.650 of the Education Code is amended to read:

52055.650. (a) Section 52055.5 does not apply to a school participating in the High Priority School Grant Program.

(b) Twenty-four months after receipt of funding for implementation of the action plan pursuant to Sections 52054.5 and 52055.600 or no sooner than July 1, 2004, a school that has not met its growth targets each year shall be subject to review by the State Board of Education. This review shall include an examination of the school's progress relative to the components and reports made pursuant to Section 52055.640. The Superintendent of Public Instruction, with the approval of the State Board of Education, may direct that the governing board of a school take appropriate action and adopt appropriate strategies

1 to provide corrective assistance to the school in order to achieve
2 the components and benchmarks established in the school's action
3 plan.

4 (c) Thirty-six months after receipt of funding to implement a
5 school action plan or no sooner than July 1, 2005, a school that has
6 met or exceeded its growth target each year shall receive a
7 monetary or nonmonetary award, under the Governor's
8 Performance Award Program, as set forth in Section 52057. Funds
9 received pursuant to that section may be used at the school's
10 discretion.

11 (d) Thirty-six months after receipt of funding to implement a
12 school action plan or no sooner than July 1, 2005, a school that has
13 not met its growth targets each year, but demonstrates significant
14 growth, as determined by the State Board of Education, shall
15 continue to participate in the program and receive funding as
16 specified in Sections 52054.5 and 52055.600.

17 (e) Notwithstanding any other provision of law, the
18 Superintendent of Public Instruction, with the approval of the
19 State Board of Education, shall follow the course of action
20 prescribed by paragraph (1) or (2) with respect to a school that does
21 not meet its growth targets within the periods described in either
22 subdivision (c) or (d), as applicable, or no later than July 1, 2005,
23 and has failed to show significant growth, as determined by the
24 State Board of Education.

25 (1) Require the district to enter into a contract with a school
26 assistance and intervention team.

27 (A) Team members should possess a high degree of knowledge
28 and skills in the areas of school leadership, curriculum, and
29 instruction aligned to state academic content and performance
30 standards, classroom management and discipline, academic
31 assessment, parent-school relations, and evaluation and
32 research-based reform strategies and have proven successful
33 expertise specific to the challenges inherent in ~~low-performing~~
34 *high-priority* schools.

35 (B) The team shall provide intensive support and expertise to
36 implement the school reform initiatives in the plan. Decisions
37 about interventions shall be data driven. A school assistance and
38 intervention team shall work with school staff, site planning teams,
39 administrators, and district staff to improve pupil literacy and
40 achievement by assessing the degree of implementation of the

1 current action plan, refining and revising the action plan, and
2 making recommendations to maximize the use of fiscal resources
3 and personnel in achieving the goals of the plan. The district shall
4 provide support and assistance to enhance the work of the team at
5 the targeted schoolsites.

6 (C) Not later than 60 days after the school's API becomes
7 public, the team shall complete an initial report. The report shall
8 include recommendations for corrective actions chosen from a
9 range of interventions, including the reallocation of district fiscal
10 resources to ensure that appropriate resources are targeted to those
11 specific interventions identified in the recommendations of the
12 team for the targeted schools and other changes deemed
13 appropriate to make progress toward meeting the school's growth
14 target. Not later than 90 days after the API is made public, the
15 governing board of the school district shall adopt the team's
16 recommendations at a regularly scheduled meeting of the
17 governing board. The governing board may not place the adoption
18 on the consent calendar. The report shall be submitted to the
19 Superintendent of Public Instruction and State Board of
20 Education.

21 (D) No less than three times during the year, the school district
22 and schoolsite shall present the team with data regarding progress
23 toward the goals established by the team's initial assessment. The
24 data shall be presented to the governing board of the school district
25 at a regularly scheduled meeting. The team shall, to the extent
26 possible, utilize existing site data. The data shall also be provided
27 to the Superintendent of Public Instruction and State Board of
28 Education. Every effort shall be made to report this data in a
29 manner that minimizes the length and complexity of the reporting
30 requirement in order to maximize the focus on improving pupil
31 literacy and achievement.

32 (E) An action taken pursuant to this paragraph shall not
33 increase local costs or require reimbursement by the Commission
34 on State Mandates.

35 (2) The Superintendent of Public Instruction shall assume all
36 the legal rights, duties, and powers of the governing board with
37 respect to the school. The Superintendent of Public Instruction, in
38 consultation with the State Board of Education and the governing
39 board of the school district, shall reassign the principal of that
40 school subject to the findings in subdivision (i). In addition to

1 reassigning the principal, the Superintendent of Public Instruction,
2 in consultation with the State Board of Education, shall,
3 notwithstanding any other provision of law, do at least one of the
4 following:

5 (A) Revise attendance options for pupils to allow them to
6 attend any public school in which space is available. If an
7 additional attendance option is made available, this option may not
8 require either the sending or receiving school district to incur
9 additional transportation costs.

10 (B) Allow parents or guardians to apply directly to the State
11 Board of Education for the establishment of a charter school and
12 allow parents or guardians to establish the charter school at the
13 existing schoolsite.

14 (C) Under the supervision of the Superintendent of Public
15 Instruction, assign the management of the school to a college,
16 university, county office of education, or other appropriate
17 educational institution. However, the Superintendent of Public
18 Instruction may not assume the management of the school.

19 (D) Reassign other certificated employees of the school.

20 (E) Renegotiate a new collective bargaining agreement at the
21 expiration of the existing collective bargaining agreement.

22 (F) Reorganize the school.

23 (G) Close the school.

24 (f) In addition to the actions listed in subdivision (e), the
25 Superintendent of Public Instruction, in consultation with the State
26 Board of Education, may take any other action considered
27 necessary or desirable against the school district or the school
28 district governing board, including appointment of a new
29 superintendent or suspension of the authority of the governing
30 board with respect to a school that does not meet its growth targets
31 within the periods described in either subdivision (b) or (c), as
32 applicable, and has failed to show significant growth, as
33 determined by the State Board of Education.

34 (g) Before the Superintendent of Public Instruction may take
35 any action against a principal pursuant to subdivision (e), the
36 Superintendent of Public Instruction or a designee of the
37 superintendent shall hold a public hearing on the matter in the
38 school district and make both of the following findings:



(1) A finding that the principal had the authority to take specific enumerated actions that would have helped the school meet its performance goals.

(2) A finding that the principal failed to take specific enumerated actions pursuant to paragraph (1).

(h) An action taken pursuant to subdivision (e), (f), or (g) shall not increase local costs or require reimbursement by the Commission on State Mandates.

(i) An action taken pursuant to subdivision (e), (f), or (g) shall be accompanied by specific findings by the Superintendent of Public Instruction and the State Board of Education that the action is directly related to the identified causes for continued failure by a school to meet its performance goals.

(j) (1) Notwithstanding subdivision (a), a school participating in the High Priority School Grant Program that received a planning grant pursuant to subdivision (f) of Section 52053 in the 1999–2000 fiscal year is eligible to receive funding pursuant to Section 52055.600 in the 2002–03 fiscal year only.

(2) Notwithstanding subdivision (a), a school participating in the High Priority School Grant Program that received a planning grant pursuant to subdivision (l) of Section 52053 in the 2000–01 fiscal year is eligible to receive funding pursuant to Section 52055.600 in the 2002–03 and 2003–04 fiscal years only.

(k) Notwithstanding the growth target timelines set forth in subdivisions (b), (c), (d), and (e), for a school that receives funds pursuant to Section 52055.600 during the 2002–03 or 2003–04 fiscal year, the growth target deadline for subdivision (b) is December 31, 2004, and the growth target deadline for subdivisions (c), (d), and (e) is December 31, 2005.

~~SEC. 11.~~

SEC. 12. Section 53081 of the Education Code is amended to read:

53081. The State Department of Education shall administer the School-to-Career Program and serve the following roles:

(a) Develop or participate in the development of accountability measurements specified in paragraph (8) of subdivision (b) of Section 53082 for school-to-career programs to ensure that the goals of the program are being met.

(b) Award grants to eligible applicants that meet or exceed the criteria specified in subdivision (b) of Section 53082.

1 (c) Provide technical and professional assistance to all local
2 partnerships.

3 (d) Consult and offer advice to partnerships.

4 (e) Provide an informational link where local partnerships can
5 collaborate and exchange successful and innovative methods and
6 ideas.

7 ~~SEC. 12.~~

8 *SEC. 13.* Section 53083 of the Education Code is amended to
9 read:

10 53083. (a) Funds for school-to-career programs shall be
11 appropriated to the department for distribution to local
12 partnerships for the purposes specified in subdivision (e).

13 (b) Funds shall be awarded through a competitive grant process
14 where only one local partnership can receive funds for a
15 geographic area.

16 (c) Funds shall be awarded to local partnerships that
17 demonstrate gains in accountability measurements specified in
18 paragraph (8) of subdivision (b) of Section 53082.

19 (d) The department is not required to fund a geographic area if
20 the department concludes that no grant application satisfactorily
21 meets the requirements specified in paragraphs (1) to (8),
22 inclusive, of subdivision (b) of Section 53082.

23 (e) Funds received through the grant process shall be used to
24 perform the critical functions of convening, connecting,
25 measuring, and brokering specific services that serve to build a
26 locally defined system that provides the connections between
27 educators, employers, local government, and the community to
28 improve public education for all pupils in the defined geographic
29 area. Funds may be used for the following connecting activities:

30 (1) Matching pupils with work-based opportunities.

31 (2) Using schoolsite mentors as liaisons between educators,
32 business, parents, and community partners.

33 (3) Providing technical assistance to help employers and
34 educators design comprehensive school-to-career systems.

35 (4) Providing technical assistance to help teachers integrate
36 school- and work-based learning as well as academic and
37 occupational subject matter.

38 (5) Encouraging active business involvement in school- and
39 work-based activities.

(6) Assisting pupils in finding appropriate work, continuing their education or training, and linking them to other community services.

(7) Evaluating post-program outcomes to assess program success, particularly with reference to selected populations.

(8) Linking existing youth development activities with employer and industry strategies to upgrade worker skills.

~~SEC. 13.~~

SEC. 14. Section 53084 of the Education Code is repealed.

~~SEC. 14.~~

SEC. 15. Section 53084 is added to the Education Code, to read:

53084. Funding for this chapter is contingent upon an appropriation for this purpose provided in the annual Budget Act or in any other statute.

~~SEC. 15.~~

SEC. 16. Section 54761.4 is added to the Education Code, to read:

54761.4. Notwithstanding any other law, until October 1, 2003, a school district may change its designation of supplemental grant funds, from any categorical education program to any other categorical education program or programs set forth in clause (i) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 54761. If a school district does not notify the Superintendent of Public Instruction of a change of designation by October 1, 2003, the Superintendent of Public Instruction shall allocate funds as otherwise specified by the school district.

~~SEC. 16.~~

SEC. 17. Section 60227 is added to the Education Code, to read:

60227. (a) For purposes of this section, a followup adoption is any adoption other than the primary adoption that occurs within a six- or eight-year cycle established pursuant to subdivision (b) of Section 60200.

(b) Before conducting a followup adoption in a given subject, the department shall provide notice, pursuant to subdivision (c), to all publishers or manufacturers known to produce basic instructional materials in that subject, post an appropriate notice on the department's Web site, and take other reasonable measures

1 to ensure that appropriate notice is widely circulated to potentially
2 interested publishers and manufacturers.

3 (c) The notice shall specify that each publisher or manufacturer
4 choosing to participate in the followup adoption shall be assessed
5 a fee based upon the number of programs the publisher or
6 manufacturer indicates will be submitted for review and the
7 number of grade levels proposed to be covered by each program.

8 (d) The fee shall offset the cost of conducting the followup
9 adoption process and shall reflect the department's best estimate
10 of the cost. The department shall take reasonable steps to limit
11 costs of the followup adoption and to keep the fee modest,
12 recognizing that some of the work necessary for the primary
13 adoption need not be duplicated.

14 (e) The department, prior to incurring substantial costs for the
15 followup adoption, shall require that a publisher or manufacturer
16 who wishes to participate in the followup adoption first declare the
17 intent to submit one or more specific programs for the followup
18 adoption and specify the specific grade levels to be covered by
19 each program. After a publisher or manufacturer has declared the
20 intent to submit one or more programs and the grade levels to be
21 covered by each program, a fee shall be assessed by the
22 department. The fee shall be payable by the publisher or
23 manufacturer even if the publisher subsequently chooses to
24 withdraw a program or reduce the number of grade levels covered.
25 A submission by a publisher or manufacturer may not be reviewed
26 for purposes of adoption, either in a followup adoption or in any
27 other primary or followup adoption conducted thereafter, until the
28 fee assessed has been paid in full.

29 (f) (1) It is the intent of the Legislature that the fee not be so
30 substantial that it prevents small publishers or manufacturers from
31 participating in a followup adoption.

32 (2) Upon the request of a small publisher or manufacturer, the
33 State Board of Education may reduce or waive the fee for
34 participation in the followup adoption.

35 (3) The State Board of Education shall, by regulation, define
36 "small publisher or manufacturer" for *the* purpose of this
37 subdivision.

38 (g) Notwithstanding subdivision (b) of Section 60200, if the
39 department determines that there is little or no interest in
40 participating in a followup adoption by publishers and

1 manufacturers, it shall recommend to the State Board of Education
2 that the followup adoption not be conducted, and the State Board
3 of Education may chose not to conduct the followup adoption.

4 (h) Notwithstanding Section 13340 of the Government Code,
5 revenue derived from fees charged pursuant to subdivision (c) is
6 hereby continuously appropriated and available to the department
7 from year to year until expended. Revenue derived from fees
8 charged pursuant to subdivision (c) may be used to pay costs
9 associated with any followup adoption and any costs associated
10 with the review of instructional materials.

11 ~~SEC. 17.~~

12 *SEC. 18.* Section 60422.1 is added to the Education Code, to
13 read:

14 60422.1. (a) Notwithstanding subdivision (a) of Section
15 60422, a local governing board shall use funding received
16 pursuant to this chapter to ensure pupils are provided with
17 standards-aligned textbooks or basic instructional materials by the
18 beginning of the first school term that commences no later than 36
19 months after those materials are adopted by the State Board of
20 Education.

21 (b) This section shall remain in effect only until June 30, 2005,
22 and as of that date is repealed, unless a later enacted statute, that
23 is enacted before June 30, 2005, deletes or extends that date.

24 ~~SEC. 18.~~

25 *SEC. 19.* Section 60423 of the Education Code is amended to
26 read:

27 60423. (a) Notwithstanding Section 60422 or any other law,
28 for the 2002–03, 2003–04, and 2004–05 fiscal years only, a
29 requirement that the governing board of a school district provide
30 a pupil with standards-aligned instructional materials, as adopted
31 by the State Board of Education subsequent to the adoption of
32 content standards pursuant to Section 60605 for kindergarten and
33 grades 1 to 8, inclusive, may be satisfied if the governing board of
34 a school district provides a pupil with standards-aligned
35 instructional materials that were adopted by the State Board of
36 Education pursuant to Chapter 481 of the Statutes of 1998.

37 (b) This section shall be in effect only until July 1, 2005, and
38 as of that date is repealed, unless a later enacted statute, which is
39 enacted before July 1, 2005, deletes or extends that date.

40 ~~SEC. 19.~~

1 *SEC. 20.* Section 60640 of the Education Code is amended to
2 read:

3 60640. (a) There is hereby established the Standardized
4 Testing and Reporting Program, to be known as the STAR
5 Program.

6 (b) Each fiscal year, from the funds available for this purpose,
7 each school district, charter school, and county office of education
8 shall administer to each of its pupils in grades 2 to 11, inclusive,
9 the achievement test designated by the State Board of Education
10 pursuant to Section 60642 and the standards-based achievement
11 test provided for in Section 60642.5. The State Board of Education
12 shall establish a testing period to provide that all schools
13 administer these tests to pupils at approximately the same time
14 during the instructional year, except as necessary to ensure test
15 security and to meet the final filing date.

16 (c) The publisher and the school district shall provide two
17 makeup days for the testing of previously absent pupils within the
18 testing period established by the State Board of Education in
19 subdivision (b).

20 (d) The governing board of the school district may administer
21 achievement tests in kindergarten and grade 1 or 12, or both, as it
22 deems appropriate.

23 (e) Pursuant to paragraph (17) of subsection (a) of Section 1412
24 of Title 20 of the United States Code, individuals with exceptional
25 needs, as defined in Section 56026, shall be included in the testing
26 requirement of subdivision (b) with appropriate accommodations
27 in administration, where necessary, and those individuals with
28 exceptional needs who are unable to participate in the testing, even
29 with accommodations, shall be given an alternate assessment.

30 (f) At the school district's option, pupils of limited English
31 proficiency who are enrolled in any of grades 2 to 11, inclusive,
32 may take a second achievement test in their primary language.
33 Primary language tests administered pursuant to this subdivision
34 and subdivision (g) shall be subject to the requirements of
35 subdivision (a) of Section 60641. These primary language tests
36 shall produce individual pupil scores that are valid and reliable.
37 Notwithstanding any other law, the State Board of Education shall
38 designate for use, as part of this program, a single primary
39 language test in each language for which a test is available for
40 grades 2 to 11, inclusive, no later than November 14, 1998,

pursuant to the process used for designation of the assessment chosen in the 1997–98 fiscal year, as specified in Sections 60642 and 60643, as applicable.

(g) Pupils of limited English proficiency who are enrolled in any of grades 2 to 11, inclusive, shall be required to take a test in their primary language if a test is available, if fewer than 12 months have elapsed after their initial enrollment in any public school in the state.

(h) (1) The Superintendent of Public Instruction shall apportion funds to school districts to enable school districts to meet the requirements of subdivisions (b), (f), and (g).

(2) The State Board of Education shall annually establish the amount of funding to be apportioned to school districts for each test administered and shall annually establish the amount that each publisher shall be paid for each test administered under the agreements required pursuant to Section 60643. The amounts to be paid to the publishers shall be determined by considering the cost estimates submitted by each publisher each September and the amount included in the Budget Act and by making allowance for the estimated costs to school districts for compliance with the requirements of subdivisions (b), (f), and (g).

(3) An adjustment to the amount of funding to be apportioned per test may not be valid without the approval of the Director of Finance. A request for approval of an adjustment to the amount of funding to be apportioned per test shall be submitted in writing to the Director of Finance and the chairpersons of the fiscal committees of both houses of the Legislature with accompanying material justifying the proposed adjustment. The Director of Finance is authorized to approve only those adjustments related to activities required by statute. The Director of Finance shall approve or disapprove the amount within 30 days of receipt of the request and shall notify the chairpersons of the fiscal committees of both houses of the Legislature of the decision.

(i) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation for the apportionments made pursuant to paragraph (1) of subdivision (h), and the payments made to the publishers under the contracts required pursuant to Section 60643 or subparagraph (C) of paragraph (1) of subdivision (a) of Section 60605 between the department and the contractor, are “General



1 Fund revenues appropriated for school districts,” as defined in
2 subdivision (c) of Section 41202, for the applicable fiscal year, and
3 included within the “total allocations to school districts and
4 community college districts from General Fund proceeds of taxes
5 appropriated pursuant to Article XIII B,” as defined in
6 subdivision (e) of Section 41202, for that fiscal year.

7 (j) As a condition to receiving an apportionment pursuant to
8 subdivision (h), a school district shall report to the superintendent
9 all of the following:

10 (1) The number of pupils enrolled in the school district in
11 grades 2 to 11, inclusive.

12 (2) The number of pupils to whom an achievement test was
13 administered in grades 2 to 11, inclusive, in the school district.

14 (3) The number of pupils in paragraph (1) who were exempted
15 from the test at the request of their parents or guardians.

16 (k) This section shall remain in effect only until June 30, 2004,
17 and as of that date is repealed, unless a later enacted statute, that
18 is enacted before June 30, 2004, deletes or extends that date.

19 ~~SEC. 20.~~

20 *SEC. 21.* Section 60640 is added to the Education Code, to
21 read:

22 60640. (a) There is hereby established the Standardized
23 Testing and Reporting Program, to be known as the STAR
24 Program.

25 (b) Commencing in the 2004–05 fiscal year and each fiscal year
26 thereafter, and from the funds available for that purpose, each
27 school district, charter school, and county office of education shall
28 administer to each of its pupils in grades 3 and 8 the achievement
29 test designated by the State Board of Education pursuant to Section
30 60642 and shall administer to each of its pupils in grades 2 to 11,
31 inclusive, the standards-based achievement test provided for in
32 Section 60642.5. The State Board of Education shall establish a
33 testing period to provide that all schools administer these tests to
34 pupils at approximately the same time during the instructional
35 year, except as necessary to ensure test security and to meet the
36 final filing date.

37 (c) The publisher and the school district shall provide two
38 makeup days for the testing of previously absent pupils within the
39 testing period established by the State Board of Education in
40 subdivision (b).

(d) The governing board of the school district may administer achievement tests in grades other than those required by subdivision (b) as it deems appropriate.

(e) Pursuant to paragraph (17) of subsection (a) of Section 1412 of Title 20 of the United States Code, individuals with exceptional needs, as defined in Section 56026, shall be included in the testing requirement of subdivision (b) with appropriate accommodations in administration, where necessary, and those individuals with exceptional needs who are unable to participate in the testing, even with accommodations, shall be given an alternate assessment.

(f) At the school district's option, pupils of limited English proficiency who are enrolled in any of grades 2 to 11, inclusive, may take a second achievement test in their primary language. Primary language tests administered pursuant to this subdivision and subdivision (g) shall be subject to the requirements of subdivision (a) of Section 60641. These primary language tests shall produce individual pupil scores that are valid and reliable. Notwithstanding any other law, the State Board of Education shall designate for use, as part of this program, a single primary language test in each language for which a test is available for grades 2 to 11, inclusive, pursuant to the process used for designation of the assessment chosen in the 1997–98 fiscal year, as specified in Sections 60642 and 60643, as applicable.

(g) Pupils of limited English proficiency who are enrolled in any of grades 2 to 11, inclusive, shall be required to take a test in their primary language if a test is available, if fewer than 12 months have elapsed after their initial enrollment in any public school in the state.

(h) (1) The Superintendent of Public Instruction shall apportion funds to school districts to enable school districts to meet the requirements of subdivisions (b), (f), and (g).

(2) The State Board of Education shall annually establish the amount of funding to be apportioned to school districts for each test administered and shall annually establish the amount that each publisher shall be paid for each test administered under the agreements required pursuant to Section 60643. The amounts to be paid to the publishers shall be determined by considering the cost estimates submitted by each publisher each September and the amount included in the Budget Act and by making allowance for

1 the estimated costs to school districts for compliance with the
2 requirements of subdivisions (b), (f), and (g).

3 (3) An adjustment to the amount of funding to be apportioned
4 per test may not be valid without the approval of the Director of
5 Finance. A request for approval of an adjustment to the amount of
6 funding to be apportioned per test shall be submitted in writing to
7 the Director of Finance and the chairpersons of the fiscal
8 committees of both houses of the Legislature with accompanying
9 material justifying the proposed adjustment. The Director of
10 Finance is authorized to approve only those adjustments related to
11 activities required by statute. The Director of Finance shall
12 approve or disapprove the amount within 30 days of receipt of the
13 request and shall notify the chairpersons of the fiscal committees
14 of both houses of the Legislature of the decision.

15 (i) For the purposes of making the computations required by
16 Section 8 of Article XVI of the California Constitution, the
17 appropriation for the apportionments made pursuant to paragraph
18 (1) of subdivision (h), and the payments made to the publishers
19 under the contracts required pursuant to Section 60643 or
20 subparagraph (C) of paragraph (1) of subdivision (a) of Section
21 60605 between the department and the contractor, are “General
22 Fund revenues appropriated for school districts,” as defined in
23 subdivision (c) of Section 41202, for the applicable fiscal year, and
24 included within the “total allocations to school districts and
25 community college districts from General Fund proceeds of taxes
26 appropriated pursuant to Article XIII B,” as defined in
27 subdivision (e) of Section 41202, for that fiscal year.

28 (j) As a condition to receiving an apportionment pursuant to
29 subdivision (h), a school district shall report to the superintendent
30 all of the following:

31 (1) The number of pupils enrolled in the school district in
32 grades 2 to 11, inclusive.

33 (2) The number of pupils to whom an achievement test was
34 administered in grades 2 to 11, inclusive, in the school district.

35 (3) The number of pupils in paragraph (1) who were exempted
36 from the test at the request of their parents or guardians.

37 (k) This section shall become operative July 1, 2004.

38 ~~SEC. 21.~~

39 SEC. 22. Section 60642 of the Education Code is amended to
40 read:



60642. (a) The Superintendent of Public Instruction and the State Board of Education may consider any evaluations of independent experts who have not been employed by a test publisher in the preceding 12 months regarding the suitability of the achievement tests submitted by publishers as required by subdivision (b) of Section 60605 for use as part of the STAR Program established by this article.

(b) Based upon a review of the achievement tests submitted and the recommendation made by the Superintendent of Public Instruction pursuant to subdivision (b) of Section 60605, the State Board of Education, in its sole discretion, based on the considerations set forth in Section 60644, shall designate for use as part of the STAR Program a single test in grades 2 to 11, inclusive.

(c) The State Board of Education shall ensure that the achievement test designated pursuant to subdivision (b) contains the subject areas specified in subdivision (c) of Section 60603 for grades 2 to 8, inclusive, and the core curriculum areas of English and language arts, mathematics, and science for grades 9 to 11, inclusive.

(d) The State Board of Education is hereby authorized to designate the achievement test to be administered pursuant to this article for more than one academic year subject to the availability of funds.

(e) The board shall minimize, to the extent it deems feasible, the amount of testing time required by the assessment in subdivision (b) for those content areas for which there also exists a standards-based examination as provided for pursuant to Section 60642.5.

(f) This section shall remain in effect only until June 30, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted before June 30, 2004, deletes or extends that date.

~~SEC. 22.~~

SEC. 23. Section 60642 is added to the Education Code, to read:

60642. (a) The Superintendent of Public Instruction and the State Board of Education may consider any evaluations of independent experts who have not been employed by a test publisher in the preceding 12 months regarding the suitability of the achievement tests submitted by publishers as required by

subdivision (b) of Section 60605 for use as part of the STAR Program established by this article.

(b) Based upon a review of the achievement tests submitted and the recommendation made by the Superintendent of Public Instruction pursuant to subdivision (b) of Section 60605, the State Board of Education, in its sole discretion, based on the considerations set forth in Section 60644, shall designate for use as part of the STAR Program a single test in grades 3 and 8.

(c) The State Board of Education shall ensure that the achievement test designated pursuant to subdivision (b) contains the subject areas specified in subdivision (c) of Section 60603 for grades 3 and 8.

(d) The State Board of Education is hereby authorized to designate the achievement test to be administered pursuant to this article for more than one academic year subject to the availability of funds.

(e) The board shall minimize, to the extent it deems feasible, the amount of testing time required by the assessment in subdivision (b) for those content areas for which there also exists a standards-based examination as provided for pursuant to Section 60642.5.

(f) This section shall become operative on July 1, 2004.

~~SEC. 23.~~

~~SEC. 24.~~ Article 5 (commencing with Section 60650) of Chapter 5 of Part 33 of the Education Code is repealed.

~~SEC. 24.~~

~~SEC. 25.~~ Section 69440 of the Education Code is amended to read:

69440. (a) Commencing with the 2001–02 academic year, and each academic year thereafter, Cal Grant T awards shall be used only for tuition and student fees for a maximum of one academic year of full-time attendance in a program of professional preparation that has been approved by the California Commission on Teacher Credentialing. The maximum award amount, and the total amount of funding, shall be determined each year in the annual Budget Act. As a condition of receiving a Cal Grant T award, a recipient shall teach for one year in a ~~low-performing~~ *high-priority* school, as defined in paragraph (3) of subdivision (c) of Section 44510, for each two thousand dollar (\$2,000) incentive provided through the Cal Grant T Program, for a period not to

1 exceed four years. Any recipient who fails to meet his or her
2 teaching obligation shall repay the Cal Grant T award.

3 (b) The commission shall allocate Cal Grant T awards using
4 academic criteria or criteria related to past performance similar to
5 that used in awarding Cal Grant A awards for the 2000–01
6 academic year.

7 ~~SEC. 25.~~

8 *SEC. 26.* Section 69999.3 is added to the Education Code, to
9 read:

10 69999.3. No award may be made pursuant to this article based
11 on a test taken in 2003. A pupil is not entitled to an award pursuant
12 to this article based on a test taken in 2003.

13 ~~SEC. 26.~~

14 *SEC. 27.* Section 84750 of the Education Code is amended to
15 read:

16 84750. The board of governors, in accordance with the
17 statewide requirements contained in subdivisions (a) to (j),
18 inclusive, and in consultation with institutional representatives of
19 the California Community Colleges and statewide faculty and staff
20 organizations, so as to ensure their participation in the
21 development and review of policy proposals, shall develop criteria
22 and standards for the purposes of making the annual budget
23 request for the California Community Colleges to the Governor
24 and the Legislature, and for the purpose of allocating the state
25 general apportionment revenues.

26 In developing the criteria and standards, the board of governors
27 shall utilize and strongly consider the guidelines and work
28 products of the Task Force on Community College Financing as
29 established pursuant to Chapter 1465 of the Statutes of 1986, and
30 shall complete the development of these criteria and standards,
31 accompanied by the necessary procedures, processes, and
32 formulas for utilizing its criteria and standards, by March 1, 1990,
33 and shall submit on or before that date a report on these items to
34 the Legislature and the Governor.

35 The board of governors shall develop the criteria and standards
36 within the following statewide minimum requirements:

37 (a) The calculations of each community college district's
38 revenue level for each fiscal year shall be based on the level of
39 general apportionment revenues (state and local) the district
40 received for the prior year plus any amount attributed to a deficit

1 of minimum workload growth, with revenue adjustments being
2 made for increases or decreases in workload, for program
3 improvement as authorized by this section or by any other
4 provision of law, for inflation, and for other purposes authorized
5 by law.

6 (b) (1) For credit instruction, the funding mechanism
7 developed pursuant to this section shall recognize the needs among
8 the major categories of operation of community colleges, with
9 categories established for instruction, instructional services and
10 libraries, student services, maintenance and operations, and
11 institutional support.

12 (2) The board of governors may propose to the Legislature, for
13 enactment by statute, other cost categories when adequate data
14 exist.

15 (3) Funding for noncredit classes shall be determined as
16 follows:

17 (A) The preliminary amount per noncredit full-time equivalent
18 student (FTES) for 1991–92 shall be equal to the comparable
19 amount for 1990–91 with increases corresponding to the
20 cost-of-living adjustment (COLA) specified in subdivision (e) and
21 corresponding to any program improvement provided to the
22 maintenance and operations category for 1991–92.

23 (B) Funds for maintenance and operations shall be included in
24 the funds derived under paragraph (4) of subdivision (c).

25 (C) Funds for institutional support will be derived as part of the
26 computation under paragraph (5) of subdivision (c).

27 (D) From the preliminary amount described in subparagraph
28 (A), a deduction shall be made corresponding to the amounts
29 derived in subparagraphs (B) and (C), and the remainder shall be
30 the funded amount per noncredit FTES for 1991–92.

31 (E) Changes in noncredit FTES shall result in adjustments to
32 revenues as follows:

33 (i) Increases in noncredit FTES shall result in an increase in
34 revenues in the year of the increase and at the average rate per
35 noncredit FTES.

36 (ii) Decreases in noncredit FTES shall result in a revenue
37 reduction in the year following the decrease and at the average rate
38 per noncredit FTES.

39 (iii) Districts shall be entitled to restore any reductions in
40 apportionment revenue due to decrease in noncredit FTES during

1 the three years following the initial year of decrease in noncredit
2 FTES if there is a subsequent increase in FTES.

3 (4) Except as otherwise provided by statute, current categorical
4 programs providing direct services to students, including extended
5 opportunity programs and services, and disabled students
6 programs and services, shall continue to be funded separately
7 through the annual Budget Act, and shall not be assumed under
8 budget formulas of program-based funding.

9 (5) District revenues shall be determined based on systemwide
10 funding standards within the categories, and revenue adjustments
11 shall occur based on distinct measures of workload applicable to
12 each category.

13 (c) Workload measures applicable to each category shall be
14 established with the following measures to be provided:

15 (1) For credit instruction, the workload measure shall be the
16 credit FTES. Changes in credit FTES shall result in adjustments
17 in revenues as follows:

18 (A) Increases in FTES shall result in an increase in revenues in
19 the year of the increase and at the statewide average per FTES.

20 (B) Decreases in FTES shall result in a revenue reduction in the
21 year following the decrease and at the district's average FTES.

22 (C) Districts shall be entitled to restore any reductions in
23 apportionment revenue due to decrease in FTES during the three
24 years following the initial year of decrease in FTES if there is a
25 subsequent increase in FTES.

26 (2) For instructional services and libraries, the workload
27 measure shall be the credit FTES. Changes in credit FTES with
28 respect to instructional services and libraries shall result in
29 adjustments to revenues as follows:

30 (A) Increases in FTES shall result in an increase in revenues in
31 the year of the increase and at the statewide average rate per FTES.

32 (B) Decreases in FTES shall result in a revenue reduction in the
33 year following the decrease and at the district's average per FTES.

34 (C) Districts shall be entitled to restore any reductions in
35 apportionment revenue due to decreases in FTES during the three
36 years following the initial year of decreases in FTES if there is a
37 subsequent increase in FTES.

38 (3) For student services, the workload measure shall be based
39 on the numbers of credit students enrolled (headcount).

1 Changes in headcount shall result in adjustments to revenues as
2 follows:

3 (A) Increases in headcount shall result in an increase in
4 revenues in the year of the increase at the statewide average per
5 headcount.

6 (B) Decreases in headcount shall result in a revenue reduction
7 in the year following the decrease at the district's average per
8 headcount.

9 (C) Districts shall be entitled to restore any reductions in
10 apportionment revenue due to decrease in headcount during the
11 three years following the initial year of decrease in headcount if
12 there is a subsequent increase in headcount.

13 (4) For maintenance and operations, the workload measure
14 shall be based on the number of square feet of owned or leased
15 facilities. Changes in the number of square feet shall be adjusted
16 as follows:

17 (A) Increases in the number of square feet shall result in an
18 increase in revenue in the year that the increase occurs and at the
19 average per square foot.

20 (B) Decreases in the number of square feet shall result in a
21 decrease in revenue beginning July 1 of the first full year in which
22 the square feet are no longer owned or leased and at the average
23 rate per square foot.

24 (5) For institutional support, a single fixed percentage which
25 shall apply to all districts shall be established based on the pattern
26 from the most recent data. The percentage shall be obtained from
27 statewide data by comparing expenditures for this category with
28 the total revenue for all five categories.

29 (d) Funding standards, subject to the conditions and criteria of
30 this section, shall be established by the board for the various
31 categories of operation established pursuant to subdivision (b). In
32 consultation as required by subdivision (e) of Section 70901, the
33 board of governors shall annually request program improvement
34 moneys to assist districts in meeting these standards.

35 (e) To the extent that funding is provided in the annual budget,
36 revenue adjustments shall be made to reflect cost changes, using
37 the same inflation adjustment as required for school districts
38 pursuant to subdivision (b) of Section 42238.1.

39 (f) An adjustment for economies of scale for districts and
40 colleges shall be provided.



(g) The statewide increase in workload of FTES and headcount shall be, at a minimum, the rate of change of the adult population as determined by the Department of Finance, and may be increased through the budget process to reflect other factors, including statewide priorities, the unemployment rate, and the number of students graduating from California high schools. The allocation of changes on a district-by-district basis shall be determined by the board of governors.

(h) For fiscal year 1991–92 or on the date Section 84750 is implemented by the board of governors in accordance with Section 70 of Chapter 973 of the Statutes of 1988, whichever is later, all districts shall receive at least the amount of revenue to which they would have been entitled pursuant to Article 1 (commencing with Section 84700) of Chapter 5 of Part 50. Thereafter, allocations shall be made pursuant to this section, as implemented by the board of governors pursuant to the annual State Budget.

(i) Except as specifically provided by statute, regulations of the board of governors for determining and allocating the state general apportionment to the community colleges may not require district governing boards to expend the allocated revenues in specified categories of operation or according to the workload measures developed by the board of governors.

(j) As used in this section:

(1) “Criteria” means the definitions of elements of institutional practice or activity to be included in the categories of operation of community college districts.

(2) “Program improvement” means an increase in revenue which is allocated to all districts to fund standards adopted pursuant to subdivision (d). Program improvement also means an increase in revenue allocated to low revenue districts to bring them closer to the statewide average.

(3) “Standard” means the appropriate level of service in a category of operation of the community college districts.

~~SEC. 27.~~

~~SEC. 28.~~ Chapter 7 (commencing with Section 99300) of Part 65 of the Education Code is repealed.

~~SEC. 28.~~

~~SEC. 29.~~ Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code is repealed.

1 *SEC. 30. Section 37 of Chapter 227 of the Statutes of 2003 is*
2 *amended to read:*

3 Sec. 37. (a) Notwithstanding Sections 42238.1 and 42238.15
4 of the Education Code or any other law, the growth and
5 cost-of-living adjustments for the programs funded by Items
6 6110-104-0001, 6110-105-0001, 6110-156-0001,
7 6110-158-0001, ~~6110-161-0001~~, 6110-189-0001,
8 6110-190-0001, 6110-191-0001, 6110-196-0001,
9 6110-232-0001, 6110-234-0001, and 6110-235-0001, of Section
10 2.00 of the Budget Act of 2003 (*Ch. 157, Stats. 2003*), and those
11 items identified in subdivision (b) of Section 12.40 of the Budget
12 Act of ~~2002~~ 2003 (*Ch. 157, Stats. 2003*) shall be zero percent for
13 the 2003–04 fiscal year.

14 (b) Notwithstanding Section 42238.15 of the Education Code,
15 the workload adjustments specified in ~~paragraphs (2) to (10),~~
16 ~~inclusive~~, of subdivision (b) of Section 42238.15 shall be zero for
17 the 2003–04 fiscal year.

18 (c) Notwithstanding Section 42238.1 of the Education Code or
19 any other ~~provision of law to the contrary~~, for purposes of Section
20 48664 of the Education Code, for the 2003–04 fiscal year, the
21 growth and cost-of-living adjustments shall be zero percent.

22 (d) Funds appropriated in the items identified in this section are
23 instead of the amounts that would otherwise be appropriated
24 pursuant to any other law.

25 *SEC. 31.* Notwithstanding any other law, a local educational
26 agency that received funds pursuant to Chapter 3.44 (commencing
27 with Section 44751) of Part 25 of the Education Code, as it existed
28 January 1, 2003, may expend or encumber those funds through
29 June 30, 2004.

30 ~~*SEC. 30.*~~

31 *SEC. 32.* Notwithstanding any other law, for the 2003–04
32 fiscal year only, to the extent that funding appropriated for
33 purposes of Article 4 (commencing with Section 52046) of
34 Chapter 6 of Part 28 of the Education Code is reduced, a school
35 district implementing a school improvement program is strongly
36 encouraged to first reduce nonpersonnel expenditures supported
37 by those funds. A school district may reduce personnel
38 expenditures supported by funds received pursuant to Chapter 6
39 (commencing with Section 52000) of Part 28 of the Education

1 Code but is strongly encouraged to do so only after it makes all
2 possible reductions in nonpersonnel expenditures.

3 ~~SEC. 31.~~

4 *SEC. 33.* Notwithstanding the inoperation and repeal,
5 pursuant to Section 69999.5 of the Education Code, of the
6 Governor's Scholars Program and the Governor's Distinguished
7 Mathematics and Science Scholars Program, the Scholarshare
8 Investment Board may continue to administer the scholarship
9 accounts established pursuant to those programs for scholarships
10 that were authorized and awarded prior to July 1, 2003. The
11 Scholarshare Investment Board may administer those accounts in
12 accordance with Article 20 (commencing with Section 69995) of
13 Chapter 2 of Part 42 of the Education Code, as it read on January
14 1, 2003, for the duration of the scholarship awards including, but
15 not limited to, dispensing qualified withdrawals of awards.

16 ~~SEC. 32.~~

17 *SEC. 34.* This act is an urgency statute necessary for the
18 immediate preservation of the public peace, health, or safety
19 within the meaning of Article IV of the Constitution and shall go
20 into immediate effect. The facts constituting the necessity are:

21 In order to make the necessary statutory changes to implement
22 the Budget Act of 2003 at the earliest possible time, it is necessary
23 that this act take effect immediately.

